

LAW OFFICE OF TODD D. LERAS
Todd D. Leras, CA SBN 145666
455 Capitol Mall, Suite 802
Sacramento, California 95814
(916) 504-3933
toddleras@gmail.com
Attorney for Defendant
MATTHEW MICHALAK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW WILLIAM MICHALAK,

Defendant.

Case No.: 2:24-cr-0268 WBS

STIPULATION AND ORDER RECALLING
ARREST WARRANT, ISSUING SUMMONS
TO APPEAR AND SETTING INITIAL
APPEARANCE DATE

A grand jury returned an Indictment in this case on September 26, 2024 (ECF Entry 1).
The document remained under seal until the Court approved a request to unseal it on December 11, 2024 (ECF Entry 7).

During the afternoon of December 10, 2024, ATF Special Agent Jared Wood, the lead investigator in the case, contacted Defendant Matthew Michalak by telephone and informed him that an arrest warrant had been issued for him in this case. Special Agent Wood informed Mr. Michalak that he should immediately turn himself in on the warrant. Mr. Michalak indicated that he would turn himself in on the warrant, but he requested to have the opportunity to consult with

1 counsel first. During the morning of December 11, 2024, Matthew Michalak spoke with defense
2 counsel. Defense counsel contacted Special Agent Wood by telephone and indicated that
3 Matthew Michalak was on his way to the United States Marshals' Office to turn himself in on
4 the warrant. Defense counsel also contacted the Pretrial Services requesting an immediate
5 interview of Matthew Michalak. The Duty Calendar for December 11, 2024, was advanced from
6 its normal time of 2:00 p.m. to 1:30 p.m. Given the time constraints for booking, conducting the
7 pre-trial interview, and scheduling the matter for arraignment on the same day, the matter was
8 not able to be calendared on December 11, 2024.
9

10
11 Given the information above, Plaintiff United States of America by and through Assistant
12 United States Attorney Alexis Klein, and Attorney Todd D. Leras on behalf of Defendant
13 Matthew Michalak, stipulate as follows:

- 14 1. Defendant Matthew Michalak attempted to turn himself in on the active warrant in
15 this matter on December 11, 2024.
16
17 2. The defense requests, and the government does not oppose, recalling the arrest
18 warrant pursuant to Rule 4 of the Federal Rules of Criminal Procedure and converting
19 the Arrest Warrant into a Summons to Appear for Initial Appearance on December
20 13, 2024, at 2:00 p.m., before United States Magistrate Judge Chi Soo Kim.

21 Assistant U.S. Attorney Alexis Klein has reviewed this proposed order and authorized
22 Todd Leras via email to sign it on her behalf.
23

24 DATED: December 11, 2024

PHILLIP A. TALBERT
Acting United States Attorney

26 By /s/ Todd D. Leras for
27 JUSTIN LEE
Assistant United States Attorney
28

1 DATED: December 11, 2024

2 By /s/ Todd D. Leras

3 TODD D. LERAS

4 Attorney for Defendant

5 MATTHEW MICHALAK

6
7 **ORDER**

8
9 BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is
10 hereby ordered that the Arrest Warrant issued for Defendant Matthew William Michalak is
11 recalled. Defendant agrees that a Summons to Appear has been issued for December 13, 2024,
12 at 2:00 p.m. The matter is calendared for Initial Appearance on December 13, 2024, at 2:00
13 p.m., before United States Magistrate Judge Chi Soo Kim.
14

15 IT IS SO ORDERED.

16
17 DATED: December 11, 2024

18
19 

20 HONORABLE CHI SOO KIM

21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28